

1 Adam P. Segal, Esq.
2 Nevada Bar No. 6120
3 Christopher M. Humes, Esq.
4 Nevada Bar No. 12782
5 BROWNSTEIN HYATT FARBER SCHRECK, LLP
6 100 North City Parkway, Suite 1600
7 Las Vegas, NV 89106-4614
Telephone: 702.382.2101
Facsimile: 702.382.8135
asegal@bhfs.com
chumes@bhfs.com

8 *Attorneys for Defendant Nevada Resort Association -
IATSE Retirement Local 720 Pension Plan*

9
10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 DAWN WOLGAST, an individual,

13 CASE NO.: 2:19-cv-00083-JCM-GWF

14 Plaintiff,

15 v.

16 **STATEMENT REGARDING
PENSION PLAN**

17 THEATRICAL STAGE EMPLOYEES LOCAL 720
18 PENSION PLAN

Defendant.

19 Defendant Nevada Resort Association - IATSE Retirement Local 720 Pension Plan (the
20 “Plan”) (incorrectly named as the Theatrical Stage Employees Local 720 Pension Plan)
21 respectfully submits this Statement Regarding Removal pursuant to the Court’s January 14, 2019,
22 Minute Order:

23 1. On December 28, 2018, Plaintiff Dawn Wolgast (“Wolgast”), served a Small
Claims Complaint on the Plan in the Justice Court, Clark County, Nevada, entitled *Wolgast v.*
Theatrical Stage Employees Local 720 Pension Plan, Case No. 18A004252 (the “Small Claims
Action”).

24 2. On December 28, 2018, Plaintiff Dawn Wolgast (“Wolgast”), also served a
summons on the Plan in the Small Claims Action.

3. The removal is not based on diversity jurisdiction.
 4. The notice of removal was not filed more than thirty (30) days after receiving a copy of the summons and complaint.
 5. The Small Claims Action has been pending for less than a year.
 6. The Plan is the only defendant in this matter.

Dated this 22th day of January, 2019.

BROWNSTEIN HYATT FARBER SCHRECK, LLP

By: /s/ Christopher M. Humes

Adam P. Segal, Esq., Nevada Bar No. 6120
Christopher M. Humes, Esq. Nevada Bar No. 12782
100 North City Parkway, Suite 1600
Las Vegas, NV 89106-4614

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- IATSE Retirement Local 720 Pension Plan*

CERTIFICATE OF SERVICE

Pursuant to Federal Rule of Civil Procedure 5(b), I certify that I am an employee of Brownstein Hyatt Farber Schreck, LLP and that on January 22, 2019, I served a true copy of the foregoing **STATEMENT REGARDING REMOVAL** via:

- a. **CM/ECF System**
 - b. **U.S. Mail** in a sealed envelope(s) mailed with postage thereon fully prepaid upon:

Dawn Wolgast
5573 Golden Palms Court
Las Vegas, Nevada 89148

Plaintiff Dawn Wolgast

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Ebony Davis
An Employee of Brownstein Hyatt Farber Schreck, LLP